

Amid hiatus of prevailing wage, Cole weighs future repeal

By Jonathan Mattise
The Associated Press

CHARLESTON, W.Va. — West Virginia’s prevailing wage for public construction projects is temporarily disappearing as of Wednesday, and Senate President Bill Cole says Republicans could scrap the wage altogether next year if it’s not reconfigured how they envisioned.

Democratic Gov. Earl Ray Tomblin and Republican state lawmakers are trading blame for the prevailing wage hiatus, which is creating confusion for the construction trades. Under a new law pushed by the GOP, WorkForce West Virginia was tasked with recalculating the wage with state university economists by Wednesday.

Since Republicans originally wanted to repeal the wage, they said the new law struck a middle ground. But the process turned sour this summer.

Lawmakers could have extended the deadline to Sept. 30, which the Tomblin administration said was necessary. A furious Republican-led committee voted against the deadline delay earlier this month, saying the law wrongly banked on a new survey of wage prices and didn’t primarily rely on federal labor data. They said the administration wasn’t following the law and was catering to unions.

Tomblin’s agency is continuing the survey and also will use federal data, saying the process is well within the law. The administration blamed it on the Legislature that there won’t be a prevailing wage for new projects starting Wednesday, and a new wage will take effect whenever WorkForce finishes it.

“It’s unfortunate that businesses will experience uncertainty until that occurs, but WorkForce West Virginia will continue to implement the law passed by the Legislature and signed by Governor Tomblin,” said Tomblin spokesman Chris Stadelman.

On Monday, Cole said he wasn’t hopeful that a survey could draw enough responses to identify an accurate prevailing wage. He again urged use of federal Bureau of Labor Statistics data.

“If they don’t, then I would expect that a very early bill will be to repeal the prevailing wage,” Cole, R-Mercer, told The Associated Press.

He said the survey was the problem with the current wage, which the GOP believes is inflated.

“The administration, WorkForce West Virginia, can say we didn’t write the law tight enough, so, ‘We don’t have to do that,’” Cole said. “But if we just replace one survey with the next survey, they haven’t solved anything.”

At the earliest, any legislation to strip the prevailing wage entirely would come during the January start of legislative session.

Republicans run both legislative chambers, and even though their edge over Democrats in the Senate is slim at 18-16, they had enough votes to repeal the prevailing wage this year. Even if Tomblin were to veto a repeal bill, Republicans only need more “yes” than “no” votes to override his decision.

All federal projects, including the bulk of highway work, are still subject to a federal prevailing wage. A new cap is already that eliminates the prevailing wage for projects using \$500,000 or less in public money is already effective.

Only 18 states don't have a prevailing wage, according to the U.S. Department of Labor.